



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

PL 10

**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

IM62/0314

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| APPLICATION NO.       | FILING DATE                                | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED   |
|-----------------------|--|--------------|-----------------------------|---------------|
| 09/133,550            | 08/13/98                                   | 006          | KOCH, G                     | 1734 03/14/00 |
| First Named Applicant | JOHNSON, 35 USC 154(b) term ext. = 0 Days. |              |                             |               |

TITLE OF INVENTION FASTENER ASSEMBLY, FASTENER TAPE MATERIAL, BAG UTILIZING FASTENER TAPE MATERIAL, AND METHOD OF MANUFACTURE THEREOF

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO.   | APPLN. TYPE | SMALL ENTITY | FEE DUE  | DATE DUE |
|-------------------|----------------|-------------|-------------|--------------|----------|----------|
| 1                 | 10172-9013-V   | 156-364.000 | J65 UTILITY | YES          | \$605.00 | 06/14/00 |

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.
- If the SMALL ENTITY is shown as NO:
  - A. Pay FEE DUE shown above, or
  - B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give application number and batch number.  
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY

## Notice of Allowability

Application No.  
**09/133,550**

Applicant(s)  
**Johnson**

Examiner  
**George R. Koch III**

Group Art Unit  
**1734**



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- ☒ This communication is responsive to 1-31-2000
- ☒ The allowed claim(s) is/are 4-7, 83, and 84
- ☒ The drawings filed on Jan 31, 2000 are acceptable.
- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☒ Note the attached EXAMINER'S ~~AMENDMENT~~ <sup>REASONS FOR ALLOWANCE</sup> or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

- ☒ Applicant MUST submit NEW FORMAL DRAWINGS

- ☐ because the originally filed drawings were declared by applicant to be informal.
- ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 7.
- ☒ including changes required by the proposed drawing correction filed on Jan 31, 2000, which has been approved by the examiner.
- ☐ including changes required by the attached Examiner's Amendment/Comment.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.**

- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

### Attachment(s)

- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Interview Summary, PTO-413
- ☐ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☒ Examiner's Statement of Reasons for Allowance

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### EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

1. The corrected or substitute drawings were received on 1-31-2000. These drawings are approved.
2. The corrected or substitute specification was received on 1-31-2000. This specification is approved.
3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because the filing dates of 60/036,186 and 60/035,051 are incorrect. It is noted that in paper #9, filed 1-31-2000, that applicant states that a corrected oath or declaration is forthcoming.

4. Claims 4-7 are allowed.
5. The following is an examiner's statement of reasons for allowance: The prior art of record does not disclose of an apparatus for applying thermoplastic tape having one or more plastic fastener profiles attached thereto, the apparatus containing a web, means for detecting the fastener profiles, means for detecting the position of the dancer arm and control means for controlling the various web drive mechanisms from the input of these detection means. For example, Bodolay (US 5,776,045) discloses of means for dispensing fasteners onto a thermoplastic web, but uses registration marks or indicia to control the various drive

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mechanisms. Rajala (US 5,659,229) discloses a web dispensing mechanism, not capable of applying tape with fastener profiles thereon.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Claims 83 and 84 are allowed.

7. The following is an examiner's statement of reasons for allowance: Applicant's arguments in paper #9 are persuasive. Christoff's apparatus, lacking the web of material, is considered capable of performing the claimed application to create a bag such as that known conventionally in the Tilman reference (US 4,756,629). However, Christoff and Tilman are silent as to the claimed web of material. The art as known disclosed sealing the strips on opposite sides, then sealing the bag. The art does not disclose the necessary web and apparatus combination wherein web has one bag side has a fastener strip attached, and the complementary fastener attached to the first fastener strip, and that the apparatus seals the back portion of the complementary fastener lip to the back portion of the bag.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner George R. Koch III whose telephone number is (703) 308-1854 (TDD only). To communicate with the examiner by TDD, dial the federal relay service at 1-800-877-8339 and give the operator the above TDD number. The examiner can normally be reached on Monday through Thursday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino, can be reached on (703) 308-3853.

Facsimile correspondence to Art Unit 1734 must now be transmitted through 703-305-7718. This number is for Technology Sector 1700 correspondence only.

When filing a FAX in Technology Sector 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are not for entry into the file of the application. This will expedite processing of your papers.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

GRK



March 13, 2000



RICHARD CRISPINO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700